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**IN THE COURT OF CRIMINAL APPEALS
FOR THE
STATE OF TEXAS**

FILED
COURT OF CRIMINAL APPEALS
12/19/2017
DEANA WILLIAMSON, CLERK

PABLO ALFARO JIMENEZ

V.

Appeals No. 04-16-00188-CR

THE STATE OF TEXAS

**MOTION FOR EXTENSION OF TIME TO FILE PETITION
FOR DISCRETIONARY REVIEW**

TO THE HONORABLE JUDGES OF THE COURT OF CRIMINAL
APPEALS:

COMES NOW, ANGELA MOORE, counsel for PABLO ALFARO JIMENEZ, and files this motion asking that the Court extend the time for filing the Appellant's petition for discretionary review, and in support thereof, offers the following:

I.

- a. This case is on appeal from the 186TH District Court of Bexar County, Texas.
- b. The style and number of the cases in the trial court are *The State of Texas v. PABLO ALFARO JIMENEZ*, Cause Number 2014-CR-9248.
- c. The Appellant was convicted by the Court of the offense of Tampering with Government Records-MISD.

- d. Punishment was assessed by the jury at 2 years probation.
- e. The style and number of the case in the Fourth Court of Appeals is *PABLO ALFARO JIMENEZ v. State of Texas*, Appeal Number 04-16-00188-CR.
- f. The Fourth Court of Appeals affirmed Appellant's conviction and sentence in an unpublished opinion on August 2, 2017.
- g. The State filed a Motion for Rehearing that was denied on November 15, 2017.
- h. The present deadline for filing the Appellant's Petition for Discretionary Review is December 15, 2017.
- i. The Appellant seeks an extension of time of 30 days, suggesting a new due date of Tuesday, January 16, 2017 (the 30th day falls on a Sunday and Monday is a Federal Holiday, hence, the next business day would be Tuesday, January 16, 2017).
- j. This is the Appellant's first request for an extension of time to file the Appellant's petition for discretionary review.

II.

This extension is not sought for the purpose of delaying this appeal, but for the following reasons:

- 1. Counsel has recently completed the following cases:
 - a. *Oscar Guevara-Mata v. State*; 04-12-00436-CR,
Memorandum of Law for Writ of Habeas Corpus
 - b. *Stacie Marie Parsons v. State*, 12-16-00330-CR;
Appellant's Brief

- c. *Darrel Bowser v. State*, 04-16-00648-CR; Appellant's Brief
- d. *Randy Arroyo v. The State of Texas*, 1997-CR-2457A; Writ of Habeas Corpus;
- e. *Chris Meadoux v. The State of Texas*, 2007-CR-8922; Writ of Habeas Corpus;
- f. *Ruby Bukvasevic v. State*, WR-85,777-01 & WR-85,777-02; Motion for Reconsideration;
- k. Counsel is currently completing the following cases:
 - a. *The State of Texas v. Reynaldo Garcia*, 2010-CR-7744, Writ of Habeas Corpus;
 - b. *Daniel Garcia v. State*, 2000-CR-4948, Writ of Habeas Corpus
 - c. *Perry Mayfield v. State*; 04-14-00274-CR, Writ of Habeas Corpus;
 - d. *Billy Hasel v. State*, 12-14-00101-CR, Writ of Habeas Corpus
 - e. *Trevor Zachary Mays v. State*, 2012-CR-6772 and 2013-CR-4032, Writ of Habeas Corpus

- f. Michael Lewis v. The State of Texas*, CR 30,418; Writ of Habeas Corpus;
- g. Ralph Rodriguez v. The State of Texas*, 1996-CR-0859B, Writ of Habeas Corpus
- h. Laura Day v. The State of Texas*, 13-13-00338-CR, Writ of Habeas Corpus;
- i. David Pfeifer v. State*; PD-1126-16, Writ of Habeas Corpus
- j. Bradford Bindock v. State*, 2010-CR-7996, Direct Appeal
- k. Juan Cantera-Vasquez v. State*, 2:12-CR-00093-AM-5; Federal Writ of Habeas Corpus;
- l. Delridge Clark v. State*, 2014-CR-1658; Writ of Habeas Corpus;
- m. Korbin Czibik v. State*, 08-16-00188-CR; Writ of Habeas Corpus;
- n. Willie Floyd v. State*, 04-16-00320-CR; Writ of Habeas Corpus;
- o. Jeffrey Bernal v. State*, 01-17-00535-CR; Direct Appeal;

- p. Donald Linder v. State*, 03-00-00624-CR; Writ of Habeas Corpus;
- q. Oscar Perez v. State*, 04-17-00492-CR; Direct Appeal;
- r. Joel Rojo v. State*, 01-17-00225-CR, 01-17-00226-CR, 01-17-00227-CR & 01-17-00228-CR; Direct Appeal
- s. Travis Wimberley v. State*, 01-17-00559-CR; Direct Appeal
- t. Richard Weisman v. The State of Texas*; 04-17-00694-CR; Direct Appeal
- u. Ruben Rios v. The State of Texas*, 04-17-00652-CV; Expunction Appeal
- v. James Kotara v. The State of Texas*, B-14-642; Writ of Habeas Corpus
- w. Archie Jenkins v. United States of America*, 17-50811; Direct Appeal
- x. Michael Castilla v. United States of America*, 17-50832; Direct Appeal
- y. Russell Dean Harshaw v. The State of Texas*; 2014-CR-8144; Direct Appeal

III.

A criminal appellant, just like a criminal defendant at trial, is entitled to the adequate and effective assistance of counsel. *Evitts v. Lucey*, 469 U.S. 387, 396 (1985); *Ward v. State*, 740 S.W. 2d 794 (Tex.Crim.App. 1987). In order to be able to accurately identify and effectively brief all the potential issues presented in this case, counsel for Appellant needs additional time to review the record and conduct the necessary research to adequately prepare Appellant's Petition for Discretionary Review. This request is made pursuant to Tex. R. App. P. 68.2 (c).

IV.

Therefore, for the above reasons, Counsel for Appellant prays that the Court grant an extension of time to January 16, 2017, for filing of the Appellant's Petition for Discretionary Review.

Respectfully Submitted

/s/_____
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CERTIFICATE OF SERVICE

I, ANGELA J. MOORE, hereby certify that a true and correct copy of the foregoing instrument has been e-served on the Bexar County District Attorney's Office, Paul Elizondo Tower, 101 W. Nueva St., San Antonio, Texas 78205, on this the 15th day of December, 2017.

/s/ _____
ANGELA J. MOORE